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10/633,520	08/05/2003	Yasunori Ookushi	016891-0859	5421

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _31 July 2008_.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-19_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-19_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some *   c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Claims 17-19 have been added; therefore, Claims 1-19 are currently pending in application 10/633,520.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. **<u>Claims 11 and13</u> rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

4. Claims 11 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01. The omitted steps are: providing the test information to a user and receiving test answer information from a user.

5. Claims 13 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01. The omitted steps are: identification of the operator input, it is unclear to the Examiner if the operator is creating a test or inputting test answers.

6. Claim 13 recites the limitation "*the* test question creation information input

screen." There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another
> filed in the United States before the invention by the applicant for patent or (2) a patent granted on an
> application for patent by another filed in the United States before the invention by the applicant for patent,
> except that an international application filed under the treaty defined in section 351(a) shall have the effects
> for purposes of this subsection of an application filed in the United States only if the international
> application designated the United States and was published under Article 21(2) of such treaty in the English
> language.

8. <u>Claims 1-19</u> **are rejected under 35 U.S.C. 102(e) as being anticipated by Kouba et al.**

(US 6,616,453 B2).

9. As per **independent Claims 1, 11, 14, and 17-19**, Shea discloses a self-service sales

management system (method, program), comprising: a skill authentication server; a shop

terminal; a customer terminal and a card company server, which are interconnected via a

communication network (Fig.4, C2 L8-9); wherein said skill authentication server

comprises <u>a skill authentication test creator</u> for creating skill authentication test questions

(Fig.7, C4-C6, questions and passing criteria are determined and created for specific

sites) on the basis of a screen input information, calculating a skill authentication result

on the basis of a customer (employee – customer of the system) test answer information

for the skill authentication test questions, and transmitting the customer test answer

information and the skill authentication result to said shop terminal and said card

company server (Fig.4-5); said customer terminal comprises <u>a communicator</u> for

transmitting the customer test answer information for the skill authentication test

questions to said skill authentication server (Fig.4, score automatically populated); said

card company server comprises <u>an ID card creator</u> for creating an ID card for storing the

customer test answer information and the skill authentication result (Fig.5); and said

shop terminal comprises <u>a transmitter</u> for transmitting the screen input information to said

skill authentication server and <u>a guidance unit</u> for making a guidance on the basis of the

customer test answer information and the skill authentication result that are stored in said

ID card (Workers are allowed access to plant and equipment based on successfully

passing questions).

10. As per Claim 2, Shea discloses wherein said skill authentication server comprises <u>said</u>

skill authentication test <u>creator</u> for transmitting a home page of a test question creation

information input screen regarding a self-service read from a storage unit, storing the

screen input information input into the homepage of the test question creation

information input screen regarding the self-service in said storage unit, and creating a

home page including the skill authentication test questions on the basis of the screen

input information (Figs. 4-5).

11. As per Claim 3, Shea discloses wherein said skill authentication server comprises <u>a skill</u>

<u>authenticator</u> for transmitting a home page for inputting a personal information of

customer, which is read from the storage unit, storing a customer personal information

input into the home page for inputting the personal information of customer in said

storage unit, transmitting the home page including the skill authentication test questions,

which is read from said storage unit, storing the customer test answer information that is input into the home page including the skill authentication test questions in said storage unit, deciding a skill of the customer on the basis of the customer test answer information, and storing the skill authentication result in said storage unit (Figs. 4-5, C6-C7, WORKER table information).

12. As per Claim 4, Shea discloses wherein said skill authentication server comprises an ID card data <u>issuer</u> for transmitting the customer personal information, the test answer information and the skill authentication result that are read from said storage unit (Figs. 4-5, C6).

13. As per Claim 5, Shea discloses wherein said skill authentication server comprises <u>said</u> skill authentication test <u>creator</u> for transmitting a home page of a test question creation information input screen regarding a self-service read from a storage unit, storing the screen input information that is input into the home page of the test question creation information input screen regarding the self-service in said storage unit, and creating a home page including the skill authentication test questions on the basis of the screen input information, <u>a skill authenticator</u> for transmitting a home page for inputting a personal information of customer that is read from said storage unit, storing a customer personal information that is input into the home page for inputting the personal information of customer in said storage unit, transmitting the home page including the skill authentication test questions that is read from said storage unit, storing the customer test answer information input into the home page including the skill authentication test questions in said storage unit, deciding skill of the customer on the basis of the customer

test answer information, and storing the skill authentication result in said storage unit,

and an ID card data <u>issuer</u> for transmitting the customer personal information, the

customer test answer information and the skill authentication result that are read from

said storage unit (Figs. 4-5, C4-C6).

14. As per Claim 6, Shea discloses wherein said shop terminal comprises a browser for

gaining access to a home page for test question creation regarding a self-service,

displaying a home page of a test question creation information input screen that is

received from said skill authentication server, and transmitting the screen input

information input by a operator to said skill authentication server, and a shop terminal

storage unit for storing a customer personal information, the customer test answer

information and the skill authentication result that are received from said skill

authentication server (Figs. 4-5, C4-C6, See rejection of Claim 1).

15. As per Claim 7, Shea discloses wherein said customer terminal gains access to a home

page for the skill authentication test questions, displays a home page for inputting a

personal information of customer that is received from said skill authentication server,

transmits the personal information of customer input into the home page for inputting the

personal information of customer by the customer to said skill authentication server,

displays a skill authentication test question screen that is received from said skill

authentication server, and transmits the customer test answer information input into the

skill authentication test question screen by the customer to said skill authentication server

(Figs. 4-5, C4-C6, See rejection of Claim 1).

16. As per Claim 8, Shea discloses wherein said customer terminal displays a home page for inputting the personal information of customer that is received from said skill authentication server, transmits the customer personal information input into the home page for inputting the personal information of customer by the customer to said skill authentication server, displays the home page including the skill authentication test questions that is received from said skill authentication server, and transmits the customer test answer information input into the home page including the skill authentication test questions by the customer to said skill authentication server (Figs. 4-5, C4-C6, See rejection of Claim 1).

17. As per Claim 9, Shea discloses wherein said shop terminal comprises ID card <u>processor</u> for reading the customer personal information, the test answer information and the skill authentication result that are stored in an ID card, and rewriting the customer personal information, the test answer information and the skill authentication result with the customer personal information, the test answer information and the skill authentication result that are stored in the storage unit of said shop terminal upon a rewrite instruction, <u>a</u> <u>collator</u> for comparing the customer personal information, the test answer information and the skill authentication result from said ID card <u>processor</u> with the customer personal information, the test answer information and the skill authentication result that are stored in the storage unit of said shop terminal, and outputting the rewrite instruction to said ID card <u>processor</u>, if they are unmatched, and <u>a guidance unit</u> for making a guidance on the basis of the customer personal information, the test answer information and the skill

authentication result that are stored in the storage unit of said shop terminal (Figs. 4-5,

C4-C6, See rejection of Claim 1).

18. As per Claim 10, Shea discloses wherein said shop terminal comprises <u>an</u> ID card

<u>processor</u> for reading the customer personal information, the test answer information and

the skill authentication result that are stored in an ID card, and rewriting the customer

personal information, the test answer information and the skill authentication result with

the customer personal information, the test answer information and the skill

authentication result that are stored in the storage unit of said shop terminal upon a

rewrite instruction, <u>a collator</u> for comparing the customer personal information, the test

answer information and the skill authentication result from said ID card <u>processor</u> with

the customer personal information, the test answer information and the skill

authentication result that are stored in the storage unit of said shop terminal, and

outputting the rewrite instruction to said ID card <u>processor</u>, if they are unmatched, and <u>a</u>

<u>guidance unit</u> for making a guidance on the basis of the customer personal information,

the test answer information and the skill authentication result that are stored in the storage

unit of said shop terminal (Figs. 4-5, C4-C6, See rejection of Claim 1).

19. As per **independent Claims 12 and 15**, Shea discloses a self-service sales management

method (program), comprising: transmitting a home page of a test question creation

information input screen regarding a self-service read from a storage unit (Fig.7, C4-C6,

questions and passing criteria are determined and created for specific sites); storing a

screen input information input into the home page of the test question creation

information input screen regarding the self-service in said storage unit (C4-C6); creating

a home page including skill authentication test questions on the basis of the screen input

information (C4-C6); transmitting a home page for inputting a personal information of

customer (worker/employee), which is read from said storage unit; storing a customer

personal information input into the home page for inputting the personal information of

customer in said storage unit (C7-C8, system obtains profile information performance

data and ability test information); transmitting the home page including the skill

authentication test questions, which is read from said storage unit; storing a customer test

answer information that is input into the home page including the skill authentication test

questions in said storage unit (Fig.4-5); deciding the skill of the customer on the basis of

the customer test answer information (Fig.4-5), and storing the skill authentication result

in said storage unit (Fig.4-5)t; and transmitting the customer personal information, the

customer test answer information and the skill authentication result that are read from

said storage unit (Information stored in WORKER tables).

20. As per **independent Claims 13 and 16**, Shea discloses a self-service sales management

method (program), comprising: displaying the a home page of the test question creation

information input screen; transmitting a screen input information input by a operator

(Fig.4-5); storing a customer personal information, a customer test answer information

and the skill authentication result in a storage unit of a shop terminal (Fig.4-5, C6-C7,

WORKER Table information); reading the customer personal information, the customer

test answer information and the skill authentication result that are stored in an ID card

(Fig.4-5, C6-C7); rewriting the customer personal information, the customer test answer

information and the skill authentication result with the customer personal information, the

customer test answer information and the skill authentication result that are stored in the

storage unit of said shop terminal upon a rewrite instruction; comparing the customer

personal information, the customer test answer information and the customer skill

authentication result from said ID card with the customer personal information, the

customer test answer information and the skill authentication result that are stored in the

storage unit of said shop terminal, and outputting the rewrite instruction, if they are

unmatched; and making a guidance on the basis of the customer personal information,

the customer test answer information and the skill authentication result that are stored in

the storage unit of said shop terminal (C6-C7, Information would be rewritten upon

completion of additional courses – new ID card provided).

Response to Arguments

21. Applicant's arguments filed on **7/31/2008**, with respect to Claims **1-19**, have been

considered but are moot in view of the new ground(s) of rejection.

Conclusion

22. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jonathan Ouellette whose telephone number is (571) 272-

6807. The examiner can normally be reached on Monday through Thursday, 8am -

5:00pm.

23. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Weiss can be reached on (571) 272-6812. The fax phone numbers for

the organization where this application or proceeding is assigned (571) 273-8300 for all

official communications.

24. Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the Office of Initial Patent Examination whose telephone number is

(703) 308-1202.

December 2, 2008

/Jonathan Ouellette/

Primary Examiner, Art Unit 3629